

2005 FEB 11 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ruddy et al.

Serial No.: 08/852,495

Group Art Unit: to be assigned

Filed: May 7, 1997

Examiner: to be assigned

For: POLYMORPHISMS IN THE  
REGION OF THE HUMAN  
HEMOCHROMATOSIS GENE

Attorney Docket No.:  
8907-0057-999

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**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**  
**AND REVOCATION AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified below. Attached hereto is a copy of the Notice of Recordation of Assignment Document for the above-identified application.

MERCATOR GENETICS, INC., a California corporation, having its principal place of business located at 4040 Campbell Avenue, Menlo Park, California, 94025, certifies that, subject to certain rights of the U.S. government, it is the assignee and owner of the entire right, title and interest in, to and under the invention described and claimed in the above-identified application, and hereby revokes all previous Powers of Attorney granted in this application and appoints the following attorneys:

S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III  
(Reg. No. 20280), Berj A. Terzian (Reg. No. 20060),  
Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg.  
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No. 22795), Philip T. Shannon (Reg. No. 24278), Francis  
E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No.

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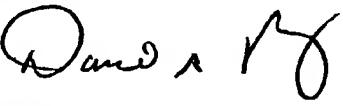
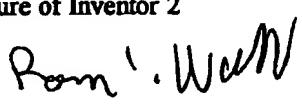
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Renee A. Fitts, Reg. No. 35,136  
 William M. Smith, Reg. No. 30,223  
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Renee A. Fitts, Esq. TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Name: Renee A. Fitts, Esq. Reg. No.: 35,136 Telephone: (415) 326-2400

Full Name of Inventor 1	Last Name Ruddy	First Name David	Middle Name or Initial A.	
Residence & Citizenship	City San Francisco	State/Foreign Country California	Country of Citizenship United States of America	
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Full Name of Inventor 2	Last Name Wolff	First Name Roger	Middle Name or Initial K.	
Residence & Citizenship	City Mill Valley	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 41 Eugene Street	City Mill Valley	State/Country California	Zip Code 94941

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  David A. Ruddy	Signature of Inventor 2  Roger K. Wolff
Date 11/11/97	Date 11/7/97

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Attorney Docket No. 17957-000110

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **POLYMORPHISMS IN THE REGION OF THE HUMAN HEMOCHROMATOSIS GENE** the specification of which    is attached hereto or  X  was filed on May 5, 1997 as Application No. 08/852,495 and was amended on    (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u>  </u> No <u>  </u>
			Yes <u>  </u> No <u>  </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/724,394	10/01/96	<u>  </u> Patented <u> X </u> Pending <u>  </u> Abandoned
08/652,265	05/23/96	<u>  </u> Patented <u> X </u> Pending <u>  </u> Abandoned
08/630,912	04/04/96	<u>  </u> Patented <u> X </u> Pending <u>  </u> Abandoned

24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), Mark A. Farley (Reg. No. 33170), and James G. Markey (Reg. No. 31636), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, its attorneys,

to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please direct all correspondence, telephone calls and facsimile  
transmissions to:

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MERCATOR GENETICS, INC

Date: 2/27/98

By: D Given  
Name: Douglass B. Given  
Title: President